

Attorney's Docket No.: 08935-218001 / M-4926

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William McHugh, et al. Art Unit : 1745
Serial No. : 09/692,869 Examiner : Angela Martin
Filed : October 20, 2000
Title : BATTERY AND METHOD OF MAKING A BATTERY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), THE GILLETTE COMPANY, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent application referenced above. The assignment was recorded in the Patent and Trademark Office at Reel 012286 Frame 0294 on June 27, 2001. THE GILLETTE COMPANY also certifies that it is the assignee of U.S. Pat. 6,265,104.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of undersigned's knowledge and belief, title is in THE GILLETTE COMPANY.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Pat. 6,265,104.

The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 22, 2005

Date of Deposit

Diane C. Brown

Signature

Diane C. Brown

Typed or Printed Name of Person Signing Certificate

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Pat. 6,265,104 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Pat. 6,265,104.

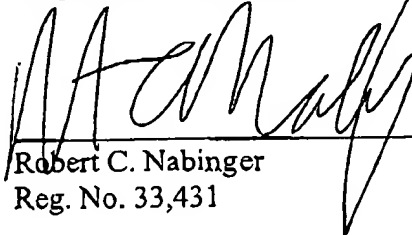
This disclaimer runs with any patent granted on the above-referenced application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 08935-218001.

Date: _____

2/21/05

Respectfully submitted,



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